

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ANDREAS PEFANIS, on behalf of himself and  
others similarly situated,

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: \_\_\_\_\_  
DATE FILED: 2-4-08

08 CV 002 (DC) (DLC)

Plaintiff,

- v. -  
STIPULATION AND ORDER

WESTWAY DINER, INC.,

Defendant.

IT IS HEREBY STIPULATED AND AGREED by and between undersigned  
counsel that the time for Defendant Westway Diner, Inc. ("Westway") to respond to the  
Complaint in the above-captioned action is hereby extended to February 5, 2008. This is  
Westway's first request for an extension.

JOSEPH & HERZFIELD LLP

MITCHELL & INCANTALUPO

By:

D. Maimon Kirschenbaum (DK-2338)  
757 Third Avenue, 25<sup>th</sup> Floor  
New York, NY 10017  
Tel: (212) 688-5640

Attorneys for Plaintiff

By:

Arthur H. Forman (AF-9646)  
98-20 Metropolitan Avenue  
Forest Hills, New York 11375  
Tel: 718-268-2616

Attorneys for Defendant

SO ORDERED:

Marie Cole  
U.S.D.J.  
Feb. 4, 2008

Dated: \_\_\_\_\_, 2008